

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - N/S Cameron Mill Road, 265' W of Walker Avenue (Lot 50 Cameron Mill Road) 7th Election District 3rd Councilmanic District * BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 91-254-SPHA Ruth Ann Desoto, et al Petitioners

AMENDED ORDER

WHEREAS, the Petitioners requested a special hearing to approve the nonconforming status of existing foundation walls, old foundations and all structures or remains inside and outside a proposed County rights-of-way, and variances for an existing dwelling on the subject property, in accordance with the plan introduced as Petitioner's Exhibit 1, on May 8, 1991;

WHEREAS, subsequent to the issuance of said Order, Petitioner's Counsel notified this office that the variance requested to permit an existing springhouse to remain located in the front yard on the subject property was inadvertently omitted from the Order;

WHEREAS, the relief requested was properly presented at the hearing and will not result in any detriment to the health, safety or general welfare of the surrounding community;

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of May, 1991 that the Order issued May 8, 1991 be and the same is hereby AMENDED to grant an additional variance to permit the existing springhouse to remain located in the front yard of the subject property, in accordance with Petitioner's Exhibit 1; and,

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued May 8, 1991 shall remain in full force and effect.

[Signature]
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

cc: Newton A. Williams, Esquire
210 W. Pennsylvania Avenue, Suite 700, Towson, Md. 21204

J. Carroll Holzer, Esquire
305 W. Chesapeake Avenue, Towson, Md. 21204

People's Counsel; File

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

- 2 -

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - N/S Cameron Mill Road, 265' W of Walker Avenue (Lot 50 Cameron Mill Road) 7th Election District 3rd Councilmanic District * BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 91-254-SPHA Ruth Ann Desoto, et al Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners originally requested a variance to permit a dwelling to street centerline setback of 28 feet in lieu of the minimum required 100 feet, and a dwelling height of 36 feet in lieu of the maximum permitted 35 feet for an existing dwelling in accordance with Petitioner's Exhibit 1.

At the original hearing held on February 12, 1991, the Petitioners requested a continuance in order to file an additional Petition. Petitioners subsequently filed a Petition for Special Hearing to approve the non-conforming status of existing foundation walls, old foundations and all structures or remains inside and outside the proposed County rights-of-way on the subject property, in accordance with Petitioner's Exhibit 4.

At the February 12, 1991 hearing, the Petitioners, by James W. McKee, on behalf of the Cameron Mill Partnership, Contract Purchaser, and Ruth Ann Desoto, Petitioner, appeared, testified and were represented by Newton Williams, Esquire. Also appearing on behalf of the Petition was John W. McGrain, Jr., Office of Planning Landmarks Preservation Commission. Appearing as interested parties in the matter were Dr. & Mrs. Richard W. McQuaid and William M. Herbert. J. Carroll Holzer, Esquire, appeared on behalf of the Maryland Line Area Community Association as well as numerous individuals from the community. There were no Protestants.

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Date 5/22/91
By [Signature]

At the continued hearing held on May 6, 1991, Mr. McKee appeared, testified and was represented by Newton A. Williams, Esquire. Appearing as interested parties were William M. Herbert and Robert Leonard who were represented by J. Carroll Holzer, Esquire, who also appeared on behalf of the Maryland Line Community Association. There were no Protestants.

Testimony indicated that the subject property, known as Lot 50 of Cameron Mill, consists of 5.054 acres zoned R.C. 4 and is improved with a three-story dwelling, which has been listed as Item No. 29 on the Final Historical Landmarks List. Said property is a portion of a mill site which existed in the area in 1795 and contains the remains of that operation, including the miller's house, which is believed to have been constructed sometime between 1800 and 1805, a springhouse, ruins and a cemetery, all as more particularly described on Petitioner's Exhibit 4. Petitioners are desirous of restoring the historic dwelling which due to its original construction and its location on the subject property, necessitates the requested variances. Testimony indicated that the granting of the variances will not result in any detriment to the health, safety or general welfare of the community.

On behalf of the Maryland Line Area Community Association and other residents, Mr. Holzer testified that the interested parties are not opposed to granting the relief requested. He indicated their concerns are not matters relative to the variances requested and the preservation of the historic ruins, but issues concerning the potential development of public roads and rights-of-way that are being dealt with through the appropriate appeal procedures. Mr. Holzer emphasized the community's interest in preserving the ruins from the mill site and not simply the dwelling and springhouse.

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

- 2 -

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare. The uncontradicted testimony and evidence presented indicates that the ruins have existed in the location shown on Petitioner's Exhibit 4 and the plat attached to the Office of Planning's comments, dated December 5, 1990, prior to January 2, 1945, the effective date of the adoption of the B.C.Z.R. As such, the structures may remain as valid nonconforming structures. Whether or not the County will require the removal of those structures located within the proposed rights-of-way in the future is not within the jurisdiction of this hearing officer.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variances requested should be granted.

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

- 3 -

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of May, 1991 that the Petition for Special Hearing to approve the nonconforming status of existing foundation walls, old foundations and all structures or remains, in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit a dwelling to street centerline setback of 28 feet in lieu of the minimum required 100 feet, and a dwelling height of 36 feet in lieu of the maximum permitted 35 feet, for an existing dwelling in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded and Petitioners would be required to file a new Petition for Zoning Variance.
- 2) The variance relief granted herein is limited to the existing dwelling.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

[Signature]
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

- 4 -

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-254-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1403.4.B.4 to allow a dwelling to street centerline setback of 28 feet in lieu of the minimum permitted setback of 100 feet and Section 1403.4.A to allow a dwelling height of 36 feet in lieu of the maximum permitted height of 35 feet.

The dwelling appears as Item #29 on the Final Historical Landmarks List and by law, must remain.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

Cameron Mill Partnership
(Type or Print Name)
[Signature]

Signature
c/o James W. McKee
5 Shaven Road
Address
Hunt Valley, Maryland 21030 527-1555
City and State

Attorney for Petitioner:
Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams, Chartered
(Type or Print Name)
[Signature]

Signature
700 Court Towers
210 West Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

Ruth Ann Desoto, Individually and Trustee
(Type or Print Name)
[Signature]

Signature
Haver C. Balchman, Trustee
(Type or Print Name)
[Signature]

Signature
1431 White Hall Road
Address
White Hall, Maryland 21161
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Newton A. Williams, Esquire
Name
700 Court Towers
210 West Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 21 day

of May, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12 day of June, 1991, at 11:30 o'clock

[Signature]
FUED ON 10/31/90 VLL
at 10:30 AM

Zoning Commissioner of Baltimore County
(over)

91-254-A
REVISED PLANS #198
4-5-91

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a special hearing to confirm the non-conforming status under the Zoning Regulations, and the historically protected status and non-conforming locations of the existing foundation walls, old foundations and all made structures or remains inside and outside the proposed County Right of Way anywhere on the site.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Cameron Mill Partnership
(Type or Print Name)
[Signature]

Signature
c/o James W. McKee
5 Shaven Road
Address
Hunt Valley, Maryland 21030
City and State

Attorney for Petitioner:
Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams, Chartered
(Type or Print Name)
[Signature]

Signature
700 Court Towers
210 West Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

Ruth Ann Desoto, Individually and Trustee
(Type or Print Name)
[Signature]

Signature
Haver C. Balchman, Trustee
(Type or Print Name)
[Signature]

Signature
1431 White Hall Road
Address
White Hall, Maryland 21161
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Newton A. Williams, Esquire
Name
700 Court Towers
210 West Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 21 day

of May, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12 day of June, 1991, at 11:30 o'clock

[Signature]
Zoning Commissioner of Baltimore County
(over)

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Gwendolyn Stephens
Docket Clerk

DATE: February 15, 1991

FROM: Ann M. Nastarowicz
Deputy Zoning Commissioner

SUBJECT: Petition for Zoning Variance
N/S Cameron Mill Road, 265' W of Walker Avenue
(Lot 50, Cameron Mill Road)
7th Election District - 3rd Councilmanic District
Ruth Ann Desoto, et al - Petitioners
Case No. 91-254-A

Please be advised that the above-captioned matter has been continued to allow Petitioners an opportunity to file an amended petition asking for additional variances to reflect the location of the springhouse and ruins depicted on Petitioner's Exhibit 1. Upon receipt of the amended Petition, please readvertise and re-post the subject property for a continued hearing on a date on which I am scheduled to hear cases.

If you have any questions on the subject, please do not hesitate to see me. Thank you for your assistance in this matter.

AMN:hjs
cc: File

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve _____
A special hearing to confirm the non-conforming status under the Zoning Regulations, and the historically protected status and non-conforming locations of the existing foundation walls, old foundations and all made structures or remains inside and outside the proposed County Right of Ways anywhere on the site.
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

SUPPLEMENTAL, ADDITIONAL
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 500.1 to permit an existing accessory structure (Springhouse) to remain located in the front yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
1. As with the Cameron Mill House, the spring house, both historically protected structures are close to the road, and cannot and should not be moved.
2. These structures cannot be moved without destroying the historical character of the structures and site, hence there is both practical difficulty and unreasonable hardship involved, and the requested variances will foster the public welfare, and are in accord with the spirit and intent of the Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

PETITIONER'S
EXHIBIT 3

91-254-SPHA

Exhibit 3 of
house

CASE # 91-254-16

PETITIONER'S EXHIBIT # 2

Exhibit 3 of house of Cameron Mill House

Exhibit 3 of house and East end of Cameron Mill House

Exhibit 3 of house on Walker Avenue from Cameron Mill Rd.

Exhibit 3 of house on Walker Avenue Rd.

Exhibit 3 of house on Walker Avenue Rd.

91-254-SPHA

Exhibit 3 of house on Walker Avenue Rd.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 1-18, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-17, 1991.

THE JEFFERSONIAN,

S. Zeke Olson
Publisher

\$ 89.91

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

91-254-A

District: 7th Date of Posting: January 20, 1991
Posted for: Variance
Petitioner: Ruth Ann Desoto, et al.
Location of property: N/S Cameron Mill Road, 265' W of Walker Road
Address: Lot # 50, Cameron Mill Road
Location of Sign: North side of Cameron Mill Road in front of subject property
Remarks:
Posted by: J. J. Arata Date of return: January 25, 1991
Number of Signs: 1

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 1/23/91

Cameron Mill Partnership
c/o James W. McKee
5 Shown Road
Hunt Valley, Maryland 21030

RE:
Case Number: 91-254-A
N/S Cameron Mill Road, 265' W of Walker Avenue
Lot #50, Cameron Mill Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Ruth Ann Desoto, et al.
Contract Purchaser(s): Cameron Mill Partnership
HEARING: TUESDAY, FEBRUARY 12, 1991 at 11:30 a.m.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

91-234

PUBLIC HEARING FEES QTY PRICE
080 - POSTING SIGNS / ADVERTISING 1 X \$114.91
LAST NAME OF OWNER: DESOTO TOTAL: \$114.91

Please Make Checks Payable To: Baltimore County
09A04R0060MCHRC \$114.91
Cashier Validation

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 8, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-254-A
N/S Cameron Mill Road, 265' W of Walker Avenue
Lot #50, Cameron Mill Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Ruth Ann Desoto, et al.
Contract Purchaser(s): Cameron Mill Partnership
HEARING: TUESDAY, FEBRUARY 12, 1991 at 11:30 a.m.

Variance to allow a dwelling to street centerline setback of 28 feet in lieu of the minimum permitted setback of 100 feet; to allow a dwelling height of 36 feet in lieu of the maximum permitted height of 35 feet.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Cameron Mill Partnership
Desoto/Kalichman
Newton A. Williams, Esq.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 17, 1991
FROM: Dennis A. Kennedy, P.E.
RE: Zoning Advisory Committee Meeting
for April 16, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 9-Cycle IV-Case No. R-91-115, 357, 371, 374, 375, 376, 378, 380, 381 and 383.

For Item 10-Cycle IV-Case No. R-91-116, County Review Group Meeting may be required.

For Item 198-Case No. 91-254-A, the previous minor subdivision comments still apply.

For Item 372, this site must be submitted through the minor subdivision process for review and comments.

Dennis A. Kennedy, P.E., Acting Chief,
Developers Engineering Division

DAK:s

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 1, 1991

Newton A. Williams, Esquire
700 Court Towers
210 West Pennsylvania Avenue
Towson, MD 21204

RE: Item No. 198, Case No. 91-254-A
Petitioner: Ruth Ann Desoto
Petition for Zoning Variance

Dear Mr. Williams:

The Zoning Plans Advisory Committee has reviewed the plans submitted at this time that offer or request information on your petition. If intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Ms. Ruth Ann Desoto
Mr. James W. McKee

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 8, 1991

Newton A. Williams, Esquire
210 W. Pennsylvania Avenue, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
N/S Cameron Mill Road, 265' W of Walker Avenue
(Lot 50, Cameron Mill Road)
7th Election District - 3rd Councilmanic District
Ruth Ann Desoto, et al - Petitioners
Case No. 91-254-SPHA

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: J. Carroll Holzer, Esquire
305 W. Chesapeake Avenue, Towson, Md. 21204

People's Counsel

File

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

APRIL 12, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Location: REVISED SPECIAL HEARING AND VARIANCE PETITIONS
AND PLANS WERE RECEIVED FOR ITEM #198 (CASE NUMBER 91-254-A)
ON APRIL 5, 1991.

Item No.: 198 Zoning Agenda: APRIL 16, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capt. James Kelly 4-6-91 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
21st day of November, 1990.

J. Robert Haines
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Ruth Ann Desoto, et al

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: January 28, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Ruth Ann Desoto, Individually and Trustee, Item No. 198

On December 5, 1990, the Baltimore County Planning Board, at a special meeting, adopted the planning office's recommendations in accordance with Sections 22-60(b)(2) and 22-60(c) of the Development Regulations, regarding the proposed minor subdivision (Lot 50) of the "Cameron Mill" (Desoto) property. This decision was appealed, however, by the Maryland Line Association.

Based upon a review of this request, staff supports the applicant's proposal. Attached, please find a copy of the director's memo to the Planning Board regarding the petitioner's property.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

FK/JL/cmm
ITEM 198/ZAC1

received
1/28/91

401 Bosley Avenue Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

December 10, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item #198
Property Owner: Ruth Ann Desoto, individually and Trustee; Mayer C. Kalichman, Trustee
Contract Purchaser: Cameron Mill Partnership
Location: N. side Cameron Mill Road, 265 W. of Walker Avenue
Existing Zoning: R-C-4
Proposed Zoning: Variance to allow a dwelling to street centerline setback of 28 ft. in lieu of the minimum permitted setback of 100 ft.; to allow a dwelling height of 36 ft. in lieu of the maximum permitted height of 35 ft.
Area: 3.058 (+/-) acres
District: 7th Election District
3rd Councilmanic District

Dear Mr. Haines:
Please see the C.R.G. comments for this site.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received
12/13/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
NOVEMBER 15, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES R. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 198
PROPERTY OWNER: Legal Owner: Ruth Ann Desoto, Individually & Trustee; Mayer C. Kalichman, Trustee/Contract Purchaser:
LOCATION: N/S Cameron Mill Rd., 265 W of Cameron Mill Part.
ELECTION DISTRICT: 7th
COUNCILMANIC DISTRICT: 3rd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMP (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

() A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS ARE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

() OTHER - HISTORICAL BUILDINGS SHALL COMPLY TO SECTION 513.1 WHEN RENOVATED.

PERMITS MAY BE APPLIED FOR 8 ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: November 16, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for November 20, 1990

The Developers Engineering Division has reviewed the subject zoning item and has no comments for Items 165, 166, 171, 173, 174, 179, 183, 185, 190, 191, 192, 197 and 198.

Item 184 is subject to the previous County Review Group comments.

Robert W. Bowling, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

11/2/90

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 198. Zoning Advisory Committee Meeting of November 20, 1990

Property Owner: Ruth Ann Desoto, individually and Trustee; Mayer C. Kalichman, Trustee

Location: Lot 50, Cameron Mill Road

Water Supply: private

Comments are as follows:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for new existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for each item as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any chiller generation which has a total cooling surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, shipshape, hot tub, water and sewerage facilities or other appliances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations for more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to testing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been conducted. The results are valid until August 28, 1993. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until () is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2162.
- () Others Proposed well for this lot must be located a minimum of 100 feet from existing cemetery.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NEWTON WILLIAMS
JIM McKEE
John McGowan, Jr.

701 COURT TOWERS, 21204
5 SHAWAN RD., 21030, 527-1555
84 WILLOW AVENUE, TOWSON MD 21204

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Dr. Richard W. McQuaid
James McQuaid
William McQuaid
J. Carroll Hobbs

1501 HANNA RD. BALTIMORE, MD 21204
1501 HANNA RD. BALTIMORE, MD 21204
549 BOSLEY RD. BALTIMORE, MD 21204
305 W. Ches. Ave.

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-6500
(801) 887-4500

Paul H. Reinecke
Chief

NOVEMBER 21, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: RUTH ANN DESOTO

Location: LOT #50, CAMERON MILL ROAD

Item No.: 198 Zoning Agenda: NOVEMBER 20, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: [Signature] Noted and Approved
Planning Group
Special Inspection Division

[Signature] Fire Prevention Bureau

JK/KEK

received
11/26/90

Intersted
PETITIONER(S) SIGN-IN SHEET

46

J. Carroll Hobbs
William M. Heese
Robert C. Leonard

305 W. Ches. Ave.
549 BOSLEY RD. BALTIMORE, MD
19300 EAGLE MINE RD 21120

5/6/91

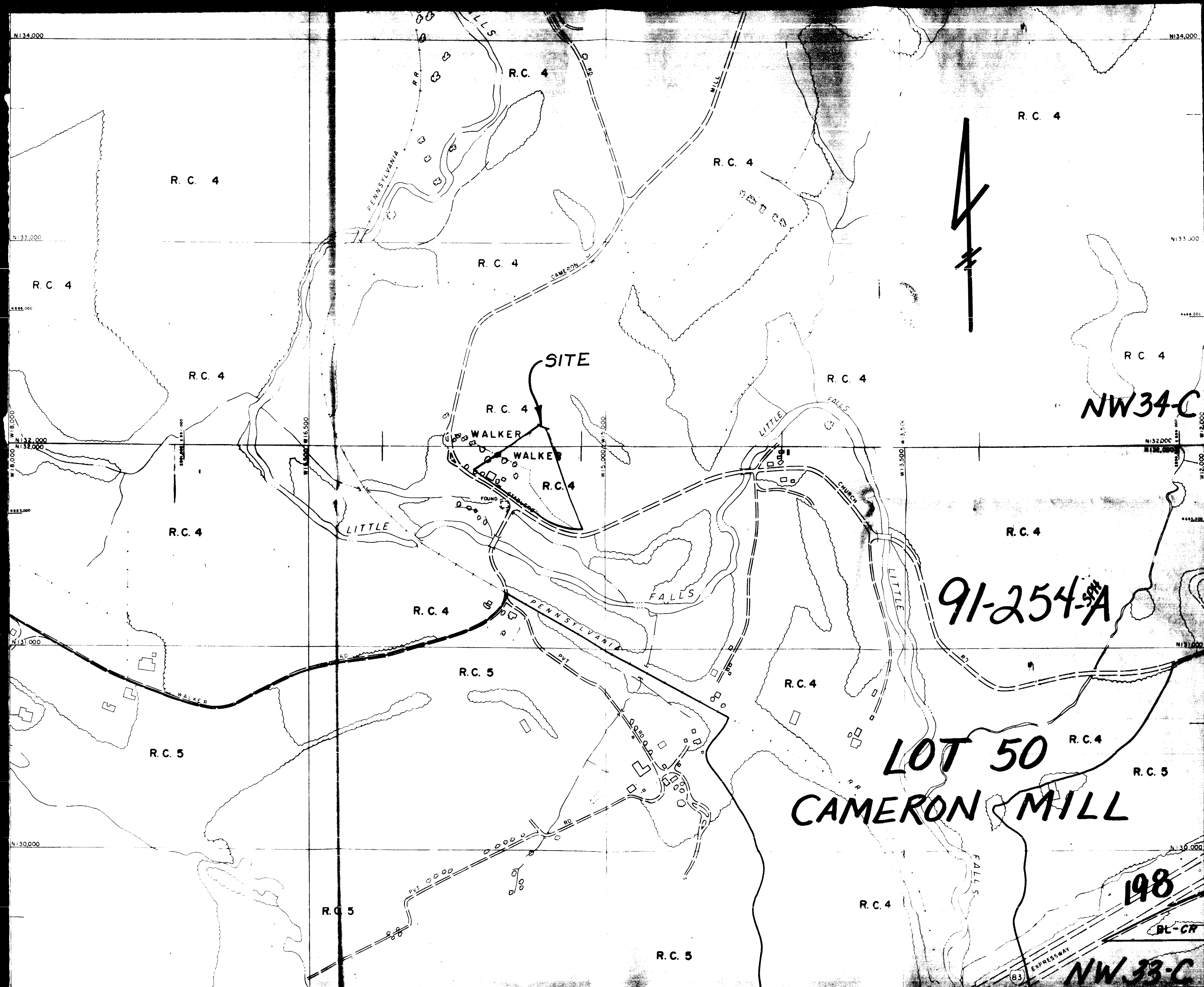
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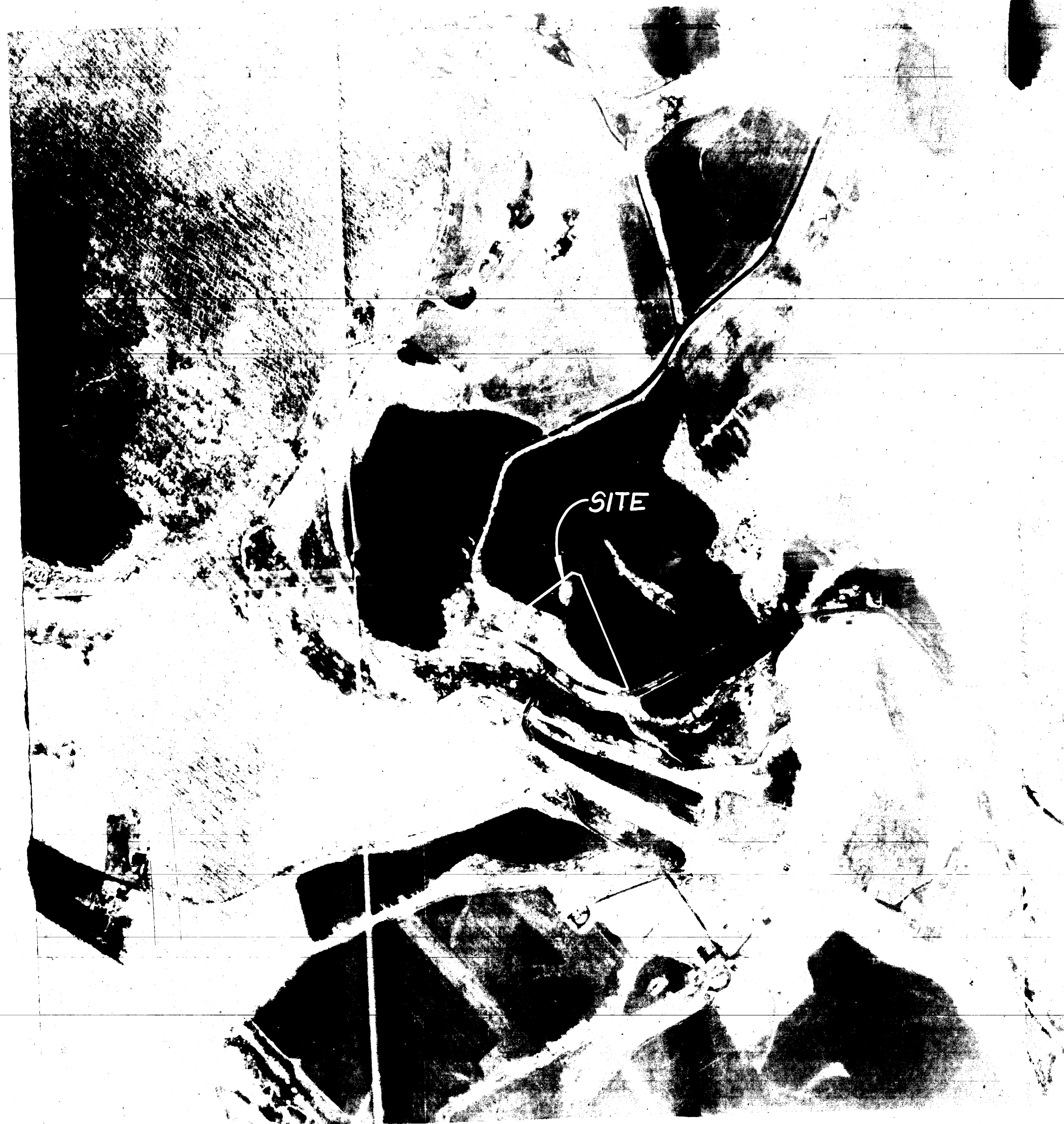
PETITIONER(S) SIGN-IN SHEET

NEWTON WILLIAMS
JAMES McKEE

701 COURT TOWERS, 21204
5 SHAWAN RD. 21030

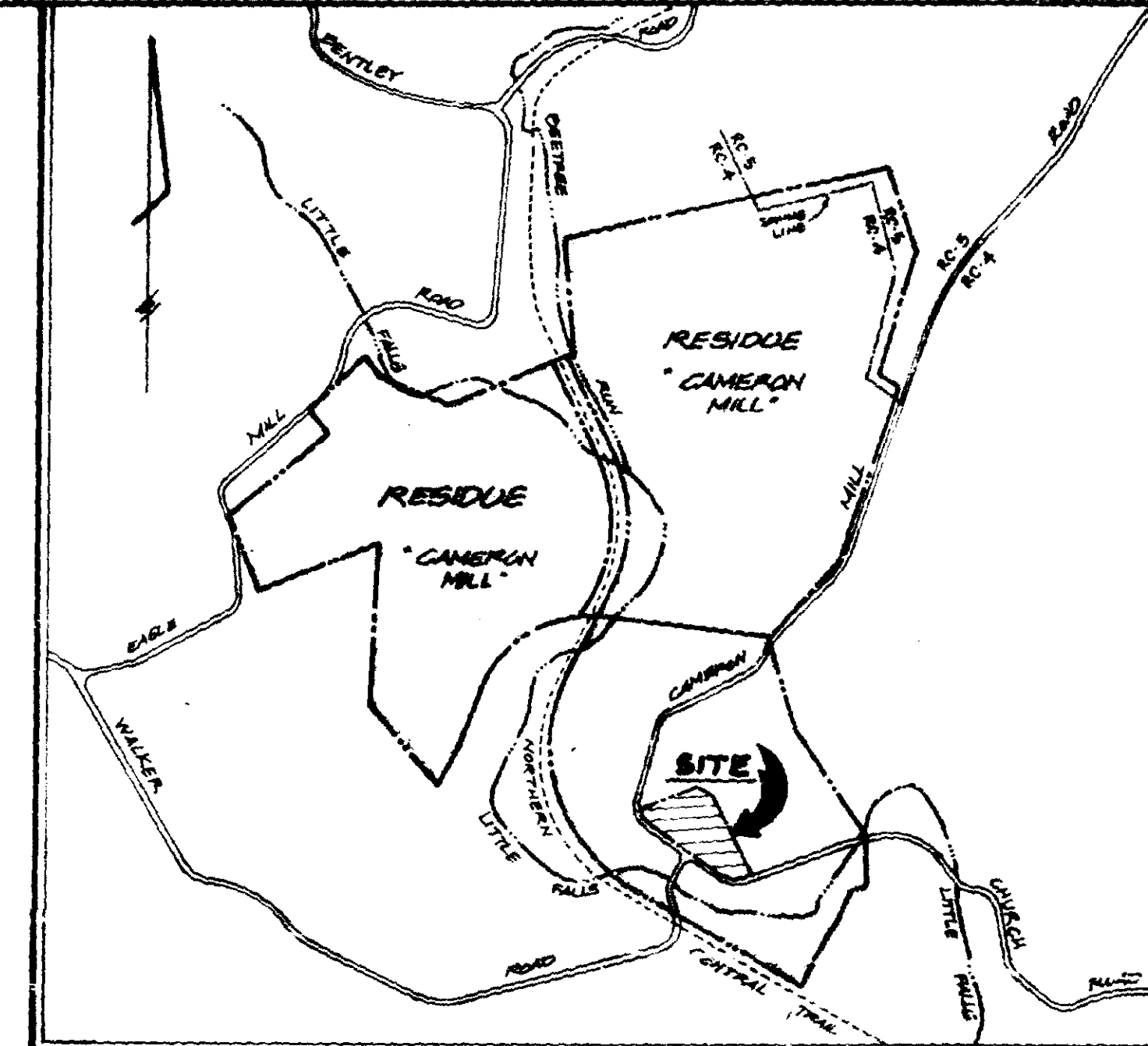
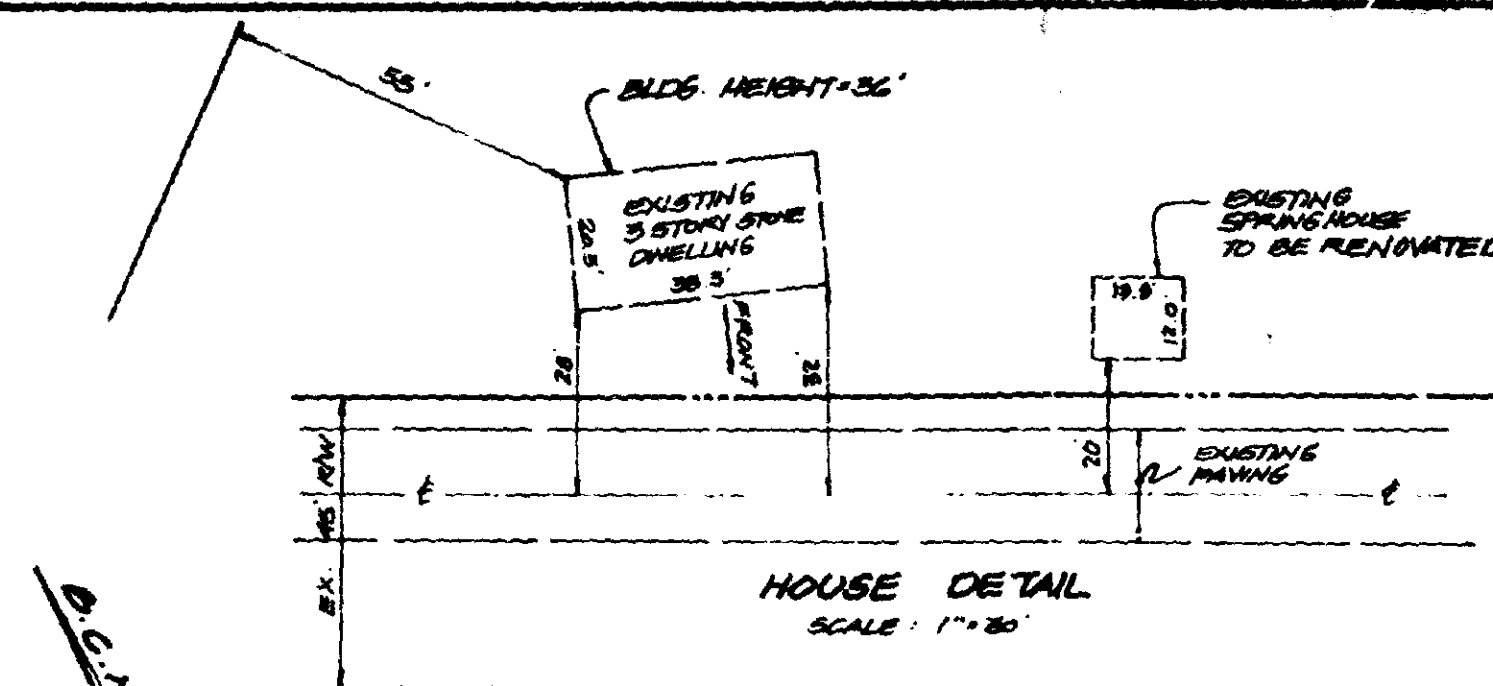
Carol Holzer-Eng



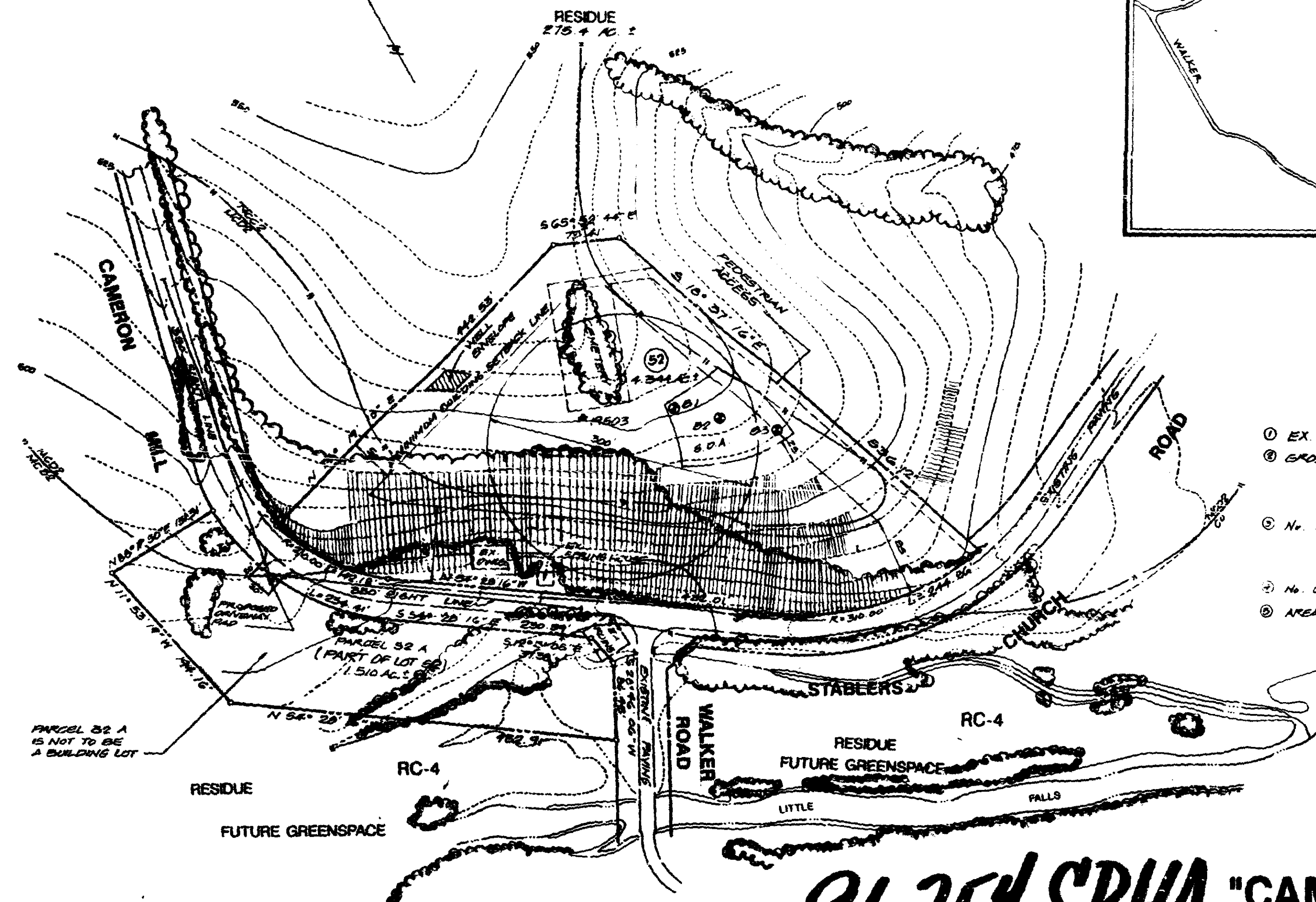


GENERAL NOTES

1. MASTER PLAN DESIGNATION: RESOURCE CONSERVATION
2. CENSUS TRACT: 4060
3. CONGRESSIONAL DISTRICT: 3
4. WATERSHED: 14 SUBWATERSHED: B1
5. STORM WATER MANAGEMENT IS NOT REQUIRED FOR THIS SUBDIVISION
6. THE EXISTING DWELLING APPEARS AS ITEM # 29 ON THE FINAL HISTORICAL LANDMARKS LIST
7. FOR ADDITIONAL INFORMATION REGARDING THE RESIDUE BOUNDARY SEE THE C.R.G. PLAN FOR "CAMERON MILL" ON FILE IN BALTIMORE COUNTY
8. EXISTING DWELLING IS TO BE RENOVATED AND RESTORED, SUBJECT TO APPROVAL BY THE HISTORIC PRESERVATION COMMITTEE
9. EXISTING SPRINGHOUSE IS ALSO TO BE RENOVATED AND RESTORED, BUT NOT TO BE USED AS A WATER SOURCE
10. EXISTING FOUNDATION RUNS ON SOUTH SIDE OF CAMERON MILL ROAD ARE TO REMAIN
11. PROPOSED USE OF HOUSE IS RESIDENTIAL
12. AN EASEMENT FOR INGRESS, EGRESS WILL BE PROVIDED FOR THE CEMETERY



VICINITY MAP
SCALE: 1"=1000'



DENSITY NOTES

1. EX ZONING OF PROPERTY RC-4 & RC-5
2. GROSS AREA RC-4 273.7 AC. RC-5 4.9 AC. TOTAL 278.6
3. NO. OF LOTS PERMITTED RC-4 (273.7 / .20) = 54 LOTS RC-5 (4.9 / .667) = 3 LOTS TOTAL = 57 LOTS
4. NO. OF LOTS PROPOSED 2 LOTS
5. AREA OF PROPOSED LOT 52 4.344 AC. 1.510 AC. TOTAL 5.854

C.R.G. PLAN
LOT 50

91-254-SPHA "CAMERON MILL"
#19503 CAMERON MILL ROAD
7TH ELECTION DISTRICT BALTIMORE CO. MD.
SCALE: 1"=100' SEPTEMBER 21, 1990
REVISED: 1-14-1991
REVISED: 2-7-1991

VARIANCE REQUESTS

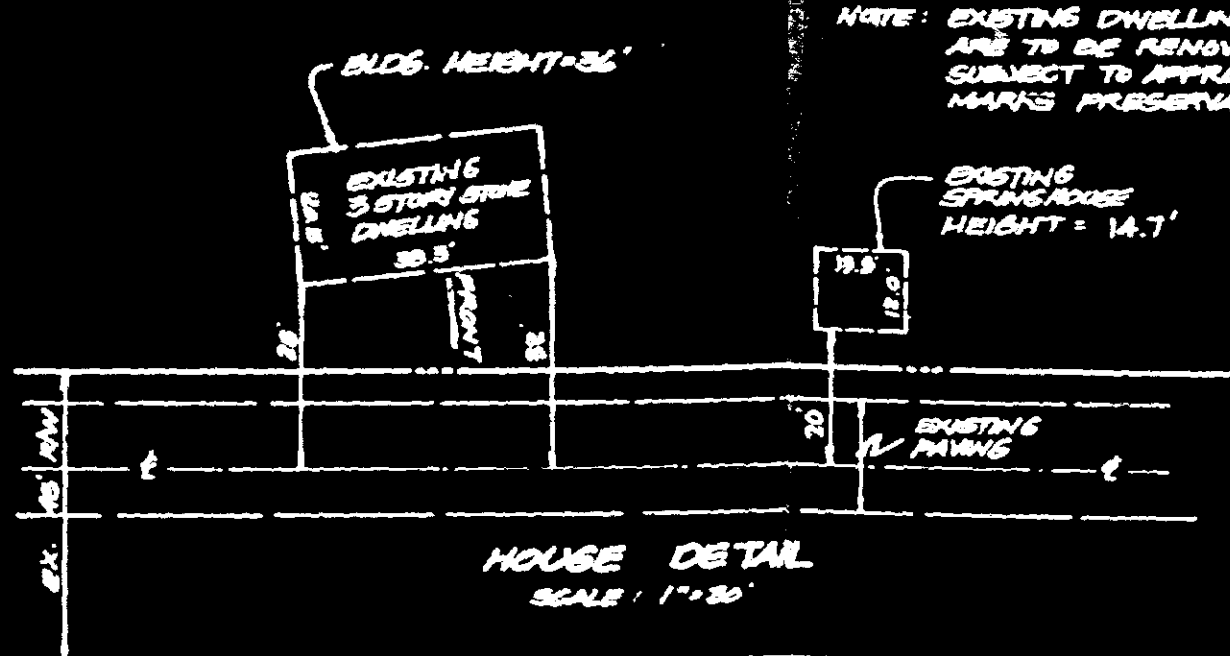
1. REQUESTING A VARIANCE TO SECTION 1A03-A.2.A TO ALLOW A DWELLING TO STREET CENTERLINE SETBACK OF 20 FEET IN LIEU OF THE MINIMUM PERMITTED SETBACK OF 100 FEET
2. REQUESTING A VARIANCE TO SECTION 1A03-A.4 TO ALLOW A DWELLING HEIGHT OF 36 FEET IN LIEU OF THE MAXIMUM PERMITTED HEIGHT OF 35 FEET

McKEE & ASSOCIATES, INC.
CIVIL ENGINEERS AND SURVEYORS
SHAWAN PLACE 5 SHAWAN ROAD
HUNT VALLEY, MD. 21030
PHONE: (301) 527-1555

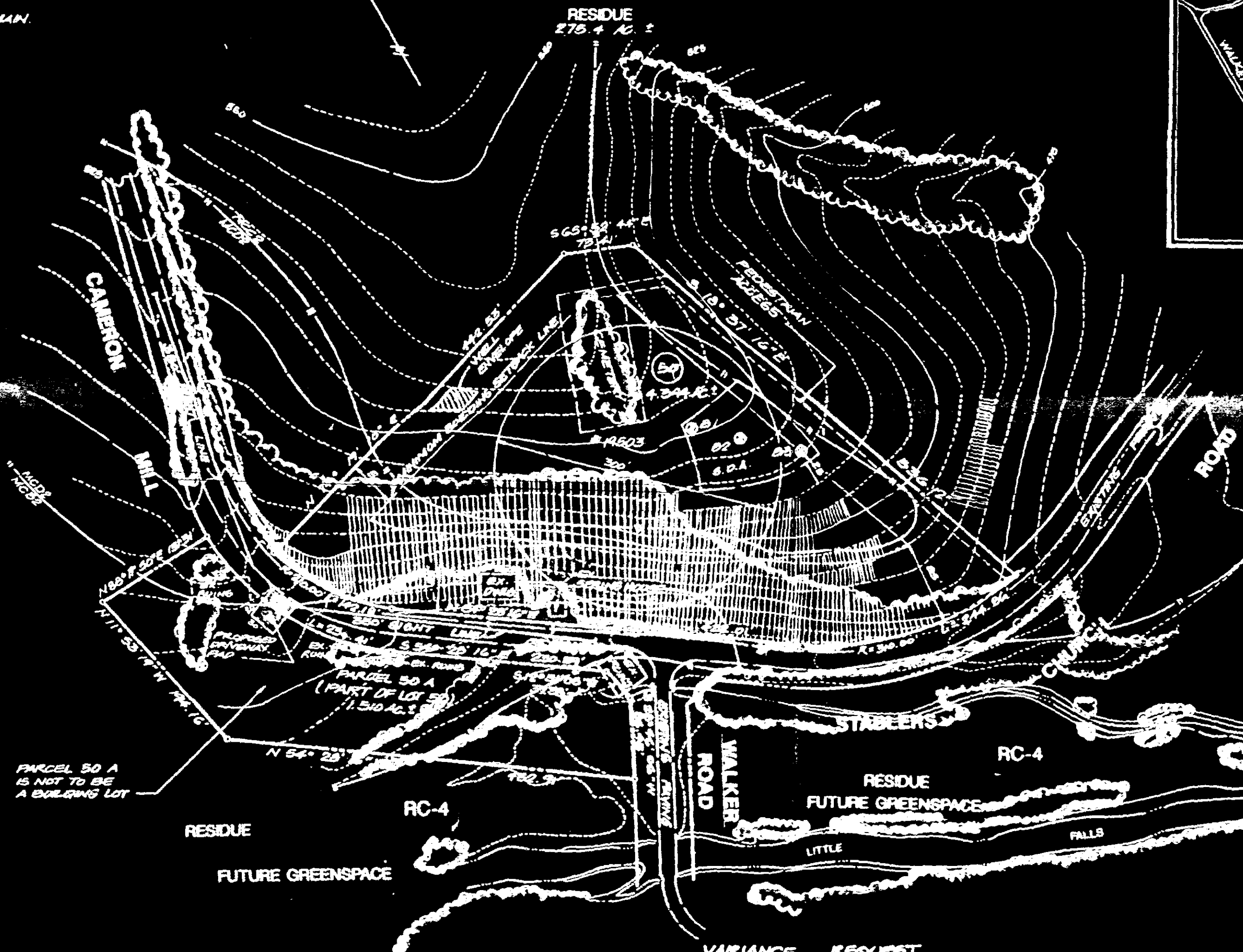
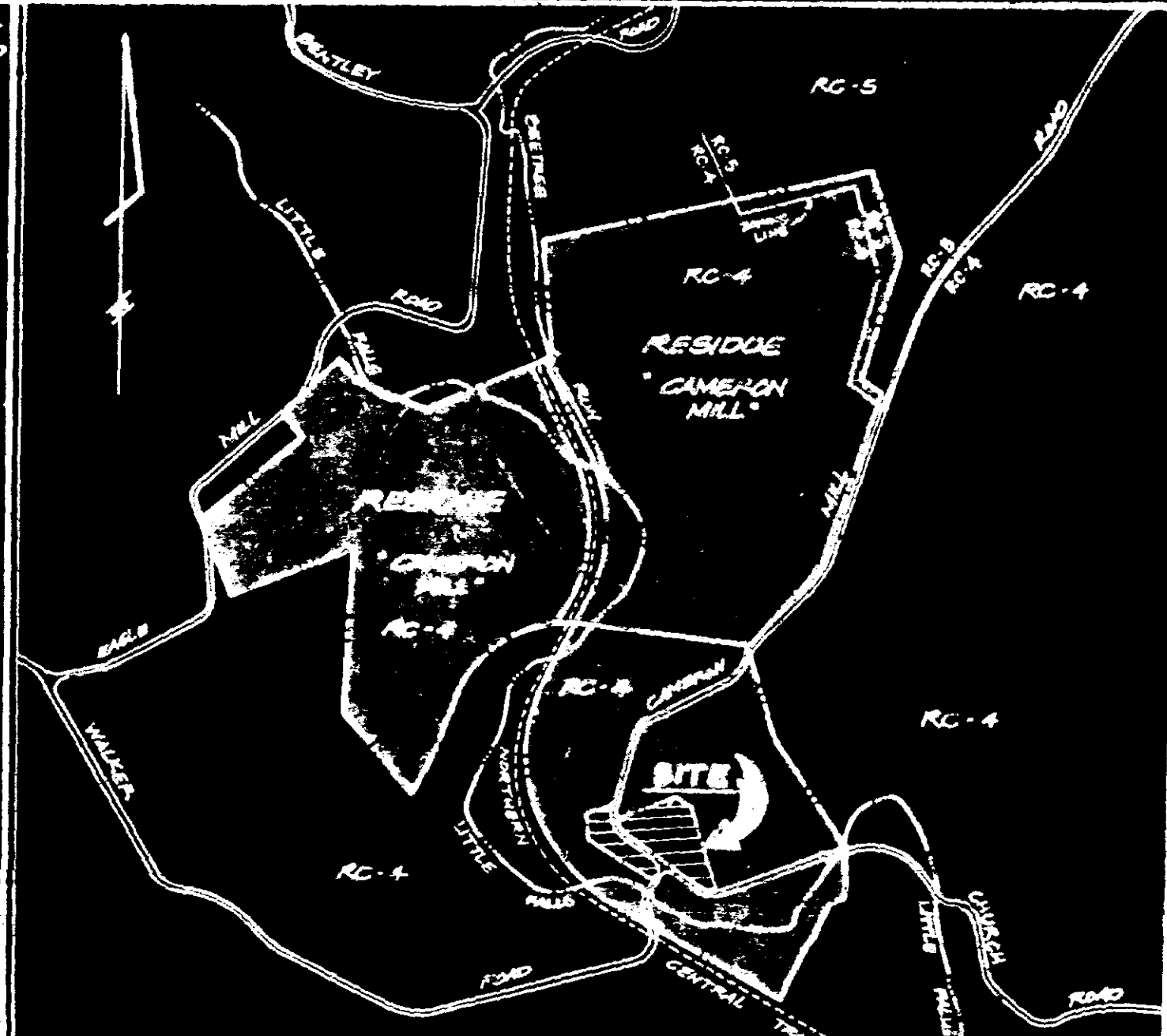
DEEDS EHM JR 8015/408 ACCT NO 07 03 000075 15 00 009467
EHM JR 8445/175 15 00 014127 15 00 010988

GENERAL NOTES

1. MASTER PLAN DESIGNATION: RESOURCE CONSERVATION
2. CONDUIT TRACT: 1-AND-0
3. CONDUIT TRACT DISTRICT: 3
4. WATERSHED: 14. SUBWATERSHED: 81
5. STORM WATER MANAGEMENT IS NOT REQUIRED FOR THIS SUBWATERSHED.
6. THE EXISTING DWELLING APPEARS AS ITEM #21 ON THE FINAL HISTORICAL LANDMARKS LIST.
7. FOR ADDITIONAL INFORMATION REGARDING THE RESIDUE, REFER TO THE C.R.G. PLAN FOR "CAMERON MILL" ON FILE IN BALTIMORE COUNTY.
8. EXISTING DWELLING IS TO BE DEMOLISHED AND RESTORED, SUBJECT TO APPROVAL BY THE HISTORIC PRESERVATION COMMITTEE.
9. EXISTING SPRINGHOUSE IS ALSO TO BE DEMOLISHED AND RESTORED, BUT NOT TO BE USED AS A WATER SOURCE.
10. EXISTING FOUNDATION RUNS ON SOUTH SIDE OF CAMERON MILL ROAD ARE TO REMAIN.
11. PROPOSED USE OF HOUSE IS RESIDENTIAL.
12. AN BASEMENT FOR INGRESS, EGRESS WILL BE PROVIDED FOR THE CEASEMENT.
13. EXISTING RUNS ON SITE ARE TO REMAIN.



NOTE: EXISTING DWELLING AND SPRINGHOUSE ARE TO BE DEMOLISHED AND RESTORED SUBJECT TO APPROVAL BY THE LANDMARKS PRESERVATION COMMISSION.



PROPERTY NOTES

1. EX. ZONING OF PROPERTY	RC-4 & RC-5
2. GROSS AREA	RC-4 273.7 AC. 1 RC-5 4.9 AC. 1 TOTAL 278.6
3. NO. OF LOTS PERMITTED	RC-4 (273.7 x 20) = 54 LOTS RC-5 (4.9 x 627) = 3 LOTS TOTAL = 57 LOTS
4. NO. OF LOTS PROPOSED	2 LOTS
5. AREA OF PROPOSED LOT	1.344 1.312 TOTAL 2.656

91-254-SPHA
C.R.G. PLAN
LOT 50
EXHIBIT

"CAMERON MILL"
#19503 CAMERON MILL ROAD
7TH ELECTION DISTRICT BALTIMORE CO. MD.
SCALE: 1"=100'
SEPTEMBER 21, 1990
REVISED 1-14-1991
REVISED 2-7-1991

APPLICANT & OWNER

RUTH ANN DESOTO
1431 WHITE HALL ROAD
WHITE HALL, MD. 21161

DEEDS: ENR. JR. 8015/408 ACCT. NO. 07-53-000075 14-00-002487
ENR. JR. 6445/175 14-00-014127 14-00-010568

McKEE & ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS
S'VINN PLACE 5 SHAMM ROAD
HUNT VALLEY, MD. 21038
PHONE (301) 527-1555

- VARIANCE REQUEST
1. REQUESTING A VARIANCE TO SECTION 400-1 TO ALLOW AN ACCESSORY BUILDING (GARAGE-HOUSE) TO BE LOCATED IN THE FRONT AND SIDEYARD AND NOT IN THE REAR YARD.
 2. REQUESTING A VARIANCE TO SECTION 1A03 + B.4 TO ALLOW A DWELLING TO STREET SETBACKLINE SETBACK OF 29 FEET IN LIND OF THE MINIMUM PERMITTED SETBACK OF 100 FEET.
 3. REQUESTING A VARIANCE TO SECTION 1A03 + A.4 TO ALLOW A DWELLING HEIGHT OF 30 FEET IN LIND OF THE MAXIMUM PERMITTED HEIGHT OF 35 FEET.